

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER SHG-035P2-319 U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/JP03/06684	INTERNATIONAL FILING DATE MAY 28, 2003	PRIORITY DATE CLAIMED JUNE 4, 2002
TITLE OF INVENTION Production Process For Lactulose-Containing Powder Composition, Lactulose-Containing Powder Composition Produced By Same, and Feed Additive		
APPLICANT(S) FOR DO/EO/US Mamoru TOMITA et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ul> </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ul> </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Executed)</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (15 References)</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (Executed)</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: (See Attached)</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>SHG-035P2-319</b> U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/510562</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP03/06684</b>	INTERNATIONAL FILING DATE <b>MAY 28, 2003</b>	PRIORITY DATE CLAIMED <b>JUNE 4, 2002</b>
<b>TITLE OF INVENTION</b> Production Process For Lactulose-Containing Powder Composition, Lactulose-Containing Powder Composition Produced By Same, and Feed Additive		
APPLICANT(S) FOR DO/EO/US <b>Mamoru TOMITA et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
20. Other items or information:		
Certificate of Express Mailing No. EV371412011US		
Copy of PCT Request dated 5/28/03 Form PCT/RO/101		
Copy of Notification of Receipt of Record Copy (Form PCT/IB/301)		
Copy of Notice of filed Priority document (Form PCT/IB/304)		
Copy of International Search Report Form PCT/ISA/210		
Copy of PCT Demand (Form PCT/IPEA/401)		
Copy of Notification of the Receipt of the Demand under Chapter II of the PCT (Form PCT/IPEA/402)		
Copy of Published PCT Application WO 2003/101218		
Copy of Notice Informing the Applicant of the Communication of the International Application to the Designated Offices Form PCT/IB/308		
Copy of information concerning elected offices notified of their election (Form PCT/IB/332)		
Copy of Written Opinion (Form PCT/IPEA/408)		
Copy of International Preliminary examination Report (Form PCT/IPEA/409)		
Return Postcard		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/516362</b>		INTERNATIONAL APPLICATION NO. PCT/JP03/06684		ATTORNEY'S DOCKET NUMBER SHG-035P2-319	
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$750.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				CALCULATIONS	PTO USE ONLY
				\$ 950.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 950.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. <b>SUBTOTAL =</b>				\$ 950.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <b>TOTAL NATIONAL FEE =</b>				\$ 950.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property <b>TOTAL FEES ENCLOSED =</b>				\$ 990.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>990.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-3000</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
<b>SEND ALL CORRESPONDENCE TO:</b> Thomas W. Flynn, Esq. Wood Herron & Evans, LLP 2700 Carew Tower 441 Vine Street Cincinnati, Ohio 45202-2917					
 <b>SIGNATURE</b> <u>Thomas W. Flynn, Esq.</u> <b>NAME</b> <hr/> <b>21,097</b> <b>REGISTRATION NUMBER</b>					

10/516362

EXPRESS MAIL NO. EV371412011US

07/15 Rec'd PCT/PTO 30 NOV 2004

PATENT

In re application of: Mamoru Tomita et al.  
International Application No.: PCT/JP03/06684  
International Filing Date: May 28, 2003  
Priority Date Claimed: June 4, 2002

Title: **PRODUCTION PROCESS FOR LACTULOSE-CONTAINING POWDER COMPOSITION, LACTULOSE-CONTAINING POWDER COMPOSITION PRODUCED BY SAME, AND FEED ADDITIVE**

Attorney Docket: SHG-035P2-319

Cincinnati, Ohio 45202

November 30, 2004

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF EXPRESS MAILING**

**Enclosures:** Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 Form PTO-1390; Certificate of Express Mailing No. EV371412011US; Copy of PCT Request dated 5/28/03 Form PCT/RO/101; Copy of Notification of Receipt of Record Copy (Form PCT/IB/301); Copy of Notice of filed Priority document (Form PCT/IB/304); copy of International Search Report Form PCT/ISA/210; Copy of PCT Demand (Form PCT/IPEA/401); Copy of Notification of the Receipt of the Demand under Chapter II of the PCT (Form PCT/IPEA/402); Copy of Published PCT Application WO 2003/101218; Copy of Notice Informing the Applicant of the Communication of the International Application to the Designated Offices Form PCT/IB/308; Copy of information concerning elected offices notified of their election (Form PCT/IB/332); Copy of Written Opinion (Form PCT/IPEA/408); Copy of International Preliminary examination Report (Form PCT/IPEA/409); Information Disclosure Statement Form PTO-1449 (with 15 references attached); Executed Declaration, Executed Power of Attorney & Petition; Recordation Form Cover Sheet and Executed Assignment; check in the amount of \$990.00 for the Filing Fee; and Return Postcard

"Express Mail" Mailing Label No. EV371412011US

Date of Deposit: November 30, 2004

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO MAIL STOP PCT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Kenneth Eads

Name of Person Mailing Paper or Fee

Kenneth Eads

Signature of Person Mailing Paper or Fee

**Best Available Copy**